

ARGUMENTS

In paragraph 2 of the Office Action, the Examiner rejected claims 1-4 and 7 under 35 U.S.C. § 103 (a), as being unpatentable over U.S. Patent No. 6,378,862 to Rebeaud in view of U.S. Patent No. 4,477218 to Bean. Applicant respectfully requests reconsideration and removal of the rejection.

The Rebeaud and Bean references must be considered in their entireties, including those portions that show that the combination of the references is improper.

The Examiner notes that "Bean teaches a paper processing system having a support shaft, 66, to support locking means, 62, which comprise a plurality of pressure elements, activated through pressurized air, each respectively housed in a support, 64, by an attachment screw.

However, in column 6, lines 14-34 of the Bean reference, "As shown in FIGS. 2 and 3, fixed wall 58 defines jogger openings 60 in registry with jogger arms 62. Jogger arms 62 are rotatably mounted to jogger blocks 64 and are spring-loaded so that they are biased downwardly to maintain an L-shape with the jogger blocks. The jogger blocks 64 are fixedly mounted to a jogger axle 66 which is rotatably mounted to the frame 12. The jogger axle 66 may be rotated by a spring-return pneumatic jogger cylinder 68 which is rotatably mounted to a plate 70 which forms a part of the frame 12. The jogger cylinder 68 terminates in a clevis 72 which is pinned to an arm 74 fixedly mounted to the jogger axle 66. Thus, extension of the jogger cylinder 68 causes the jogger axle 66 to rotate, thereby rotating

the jogger arms 62 through the jogger openings 60 and into the stacking station 14 above the tray 56. The jogger arms 62 include flat faces 76, which function as paper stop means as hereinafter described and which become oriented substantially vertically when the jogger arms 62 have been rotated over the tray 56 by extension of the jogger cylinder 68."

It is impermissible under 35 U.S.C. § 103 to pick and choose portions of a reference, excluding some parts necessary for a full appreciation of what the document teaches, particularly if those excluded parts diverge and teach away from the claimed invention, even upon modifications without indication to do that. The Examiner has stated that it would be obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Rebeaud by using "the locking means of Bean" in an "independently attached and adjustable" manner "rather than a toothed comb where the elements are fixed". However, the Examiner is ignoring the fact that Bean teaches away from using its locking mechanism in an independent manner: "The jogger blocks 64 are fixedly mounted to a jogger axle 66 which is rotatably mounted to the frame 12." (column 6, lines 18-19). The Bean reference teaches away from using its locking mechanism in an independent manner and teaches that its locking mechanism should be "fixedly mounted".

Another indicia of non-obviousness is that Bean and Rebeaud do not suggest the combination or modification of references disclosed by the Examiner.

The claimed invention discloses:

- A plurality of pressure elements activated by pressurized air in order to have a supply system for

sheets capable of working independently, which solves the problem of working with papers having different thickness.

- Each pressure element is not permanently fixed to the shaft 30 by means of a screw, which solves the problem of adapting the supply system to different printing formats of the sheets in a quick and simple manner.

Neither Rebeaud nor Bean disclose these kinds of problems or these kinds of solutions. Neither Rebeaud nor Bean teach or suggest the modification and combination of Bean with Rebeaud. Even by modifying and combining Bean with Rebeaud, the modified-combination would not solve the problems solved by the claimed invention. In fact, the block elements of Rebeaud and the stop elements of Bean are not suitable to be adapted to different printing formats. Bean does not disclose screws or stop elements adaptable to different formats. Furthermore, the stop elements shown in figures of Bean touch the tray with a tip-shaped extremity. This kind of extremity used to lock the sheet on the table would permanently damage the sheet. This is another indication that the claimed invention (even modifying the documents without indication to do that) is not obvious.

Considering Rebeaud and Bean in their entireties and in light of the problems that they solve, one having ordinary skill in the art would not create the claimed invention even by modifying the references, because the references do not disclose elements adaptable to different printing formats, and also because there are no suggestions to modify or combine the same references in order to obtain the claimed invention adaptable to different printing

formats. In particular, one having ordinary skill in the art would not obtain the present invention in order to solve the two different problems that have never been disclosed nor solved in the prior art.

Using the teaching disclosed in Bean and Rebeaud, one having ordinary skill in the art could not create the present invention because there are too many differences and no suggestions to modify and combine them.

The claimed invention is also simpler than the previous inventions and works independently of the thickness of the paper. The claimed invention is quickly and simply adapted to different printing formats.

In particular, Bean discloses a cylinder used as an actuator in order to activate stop elements capable of stopping the sheet. The cylinder is not a piton. This is a difference in the structure. The cylinder is an actuator and not a pressure element.

Therefore, the cylinder is a different element and this implies a difference in the structure with respect to the present invention. Said cylinder activates a rod which is joined to stop elements, so the cylinder is an actuator which acts directly on a rod, and which indirectly causes a rotating movement of the stop elements. There are many differences, and there are no indications to modify the structure, the position, or the function of a cylinder in order to obtain a solution to problems which are not discussed in Bean and Rebeaud.

The pressure elements of the present invention are positioned over the sheet, they act directly on the sheet, and they have the function of blocking the sheet on the tray independently of the thickness of the sheets.

Furthermore, pressure elements of the present invention are

not integral with the shaft 30; in Rebeaud, as stated by the Examiner, the toothed elements are integral so it is not possible to solve the problem of adapting to different printing formats. Also, the Bean stop elements are not adaptable to different sheet formats. It is clear from the figures and the description that they are not attached by screws, and it is also clear that the stop elements are permanently joined to a rod, i.e., the stop elements are fixed in a predetermined position to the rod, being activated by the cylinder.

Consequently, by combining the teaching of Bean with Rebeaud, one having ordinary skill in the art would create a machine with stop elements capable of stopping the sheet and not blocking the same onto the tray, and the machine would not be adaptable for different sheet formats.

This is not the claimed invention, so this is a clear indication that the claimed invention is not obvious. In particular, in Bean, the cylinder 68 is not a plurality of pressure elements, it is only an actuator.

Paper stop means are not paper lock means and they are also activated by the extension of the cylinder 68. This is not the object of the present invention nor of the Rebeaud patent. Furthermore, the Bean patent discloses how to stop the longitudinal feeding of the paper and not lock paper on tray. (col. 6 row 29-34)

Additionally, in the Bean patent, the jogger arms 62 are L-shaped and include flat faces which are oriented substantially vertically when the jogger arms 62 have been rotated over the tray 56 by extension of the jogger cylinder 68.

In this way, stop elements can't lock the paper on the tray because they are orthogonally oriented with respect to the tray.

Consequently, the Bean patent does not disclose pressure elements able to lock the paper on the tray and adaptable to different sheet formats and with different thickness.

It would have not been obvious to one having skill in the art at the time of the invention to modify the invention of Rebeaud on the light of the Bean patent, which discloses paper stop means activated by extension of the jogger cylinder 68 permanently fixed to a rod.

On the contrary, the claimed invention discloses pressure elements able to lock papers on the tray, in which pressure elements are activated by means of pressurized air. That is, the present patent application discloses pressure elements which act directly on the paper in order to lock the same on the tray, regardless of the thickness of the paper. This is not disclosed, taught, or suggested by Bean.

The present application discloses how to lock the paper in the tray by means of pressure elements activated by pressurized air.

Advantageously, a supply system for a silk-screen printing machine does not need to be adapted for papers having different thickness because the pressure elements 51 act in a direction that is orthogonal to the paper and by means of pressurized air, so they can act independently from the paper thickness.

In this way, the paper maintains its position because the pressure elements can not move it.

Based on the foregoing, applicant respectfully submits that the present claimed invention is not rendered unpatentable under §103(a) by the Bean and Rebeaud references. Removal of the rejections is therefore requested.

An early and favorable action is earnestly solicited.

Respectfully Submitted



James V. Costigan
Registration No.: 25,669

Hedman & Costigan, P.C.
1185 Avenue of the Americas
New York, N.Y. 10036-2646
(212) 302-8989

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450 on 4/10/05

